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State Form 4336

**DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
INDIANAPOLIS****OFFICE MEMORANDUM**

TO: Miller Plating Inspection File
EPA ID # IND 006365965
Evansville, Vanderburgh County

DATE: August 18, 2008

FROM: Roger Wilson
Industrial Waste Compliance Section 2

SUBJECT: Trip Report for the OTH Inspection of Miller Plating & Metal Finishing LLC on August 8, 2008

File Audit

On January 7, 2008, a RCRA inspection was conducted at Miller Plating located at 3200 North 6th Avenue, Evansville, Vanderburgh County, Indiana (US EPA ID # IND006365985) and found the facility had gone out of business, filed bankruptcy, and was in the process of abandoning the property including a large quantity of solid and hazardous wastes accumulated and subsequently stored without a Part B RCRA Container Storage Permit.

On March 13, 2008, a RCRA follow-up inspection was conducted. The inspection was conducted in order to determine the status of solid and hazardous wastes abandoned by the bankrupt facility. The Bank of Evansville had taken control of the property and had contracted with Precision Chemicals to conduct work at the site associated with the cleanup and retrieval of facility assets and the subsequent planned occurrence of an auction in order to further liquidate and retrieve facility assets, including cleanup activities such as the batch treatment and subsequent discharge to the local municipal wastewater treatment facility of various pretreated wastewaters.

A second followup inspection was conducted on April 25, 2008, it was evident during the inspection of the cleanup progress that had been made at the facility though, a large quantity of various hazardous wastes remained, stored in tanks and containers on-site. To that point approximately 88,860 gallons of wastewaters had been batch treated and discharged to the City of Evansville wastewater treatment facility. Additionally, two shipments of Hazardous Waste Wastewater Treatment Sludge F006 had been relinquished and delivered to World Resources Company located in Pottsville, Pennsylvania (EPA ID # PAD981038227).

A third followup inspection was conducted on June 6, 2008, again, it was evident during the inspection of the cleanup progress that had been made at the facility though, also again, a large quantity of hazardous wastes remained on-site stored in tanks and containers. Approximately 162,500 gallons of wastewaters had been batch treated and discharged to the City of Evansville wastewater treatment facility. Additionally, a third shipment of Hazardous Waste Wastewater Treatment Sludge F006 occurred on May 30, 2008 (see attached Manifest tracking Number 002503731 JJK). The shipment was relinquished for delivery to World Resources Company located in Pottsville, Pennsylvania (EPA ID # PAD981038227). Furthermore, on June 4, 2008, a shipment of 25-55 gallon drums of hazardous waste silver cyanide (D003/D011) was relinquished for delivery to SIMS Recycling Solutions located in Franklin Park, Illinois (EPA ID # ILD905087630). During the inspection, it was determined that the auction of assets was going to

occur by the end of June and was to be conducted by Myron Bowling Auctioneers from Louisville, Kentucky.

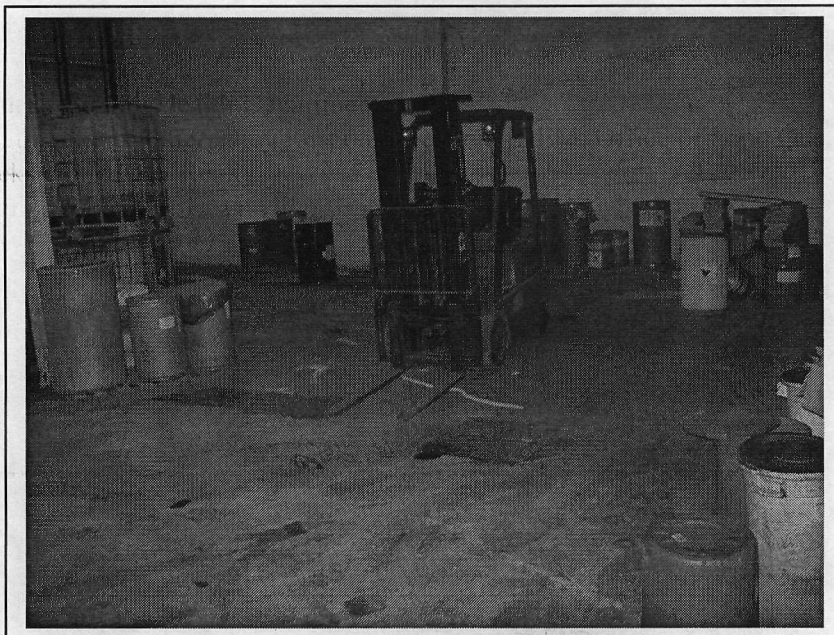
Subsequent to the inspection of June 6, 2008, a final weekly report (see attachment) was received from Precision Chemicals of daily activities conducted at the bankrupt and vacated Miller Plating facility prior to the auction. According to the report approximately 172,500 gallons of wastewaters had been batch treated and discharged to the City of Evansville wastewater treatment facility during the cleanup. Additionally, 12,285 gallons of Nickel had been hauled off-site, and 1470 gallons of Silver had also been hauled off-site for reclamation. Finally, a chemical inventory was prepared and submitted (see attachment) by Precision Chemical for remaining chemicals stored on-site at the old Miller plating facility.

Investigation Findings

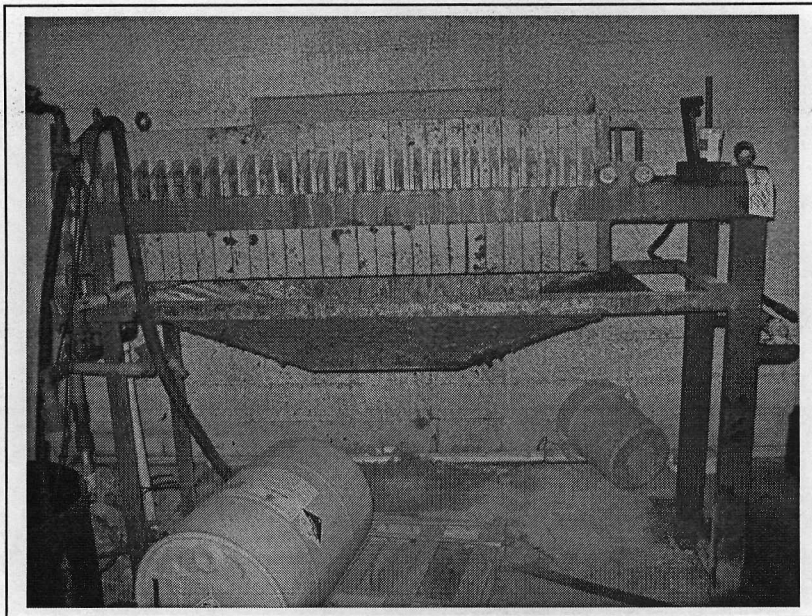
On August 8, 2008, I conducted an RCRA inspection at the closed and bankrupt Miller Plating & Metal Finishing facility. Charles Stinchfield, of the Emergency Response Section in the Office of Land Quality of the IDEM accompanied me during the inspection. Keith Carroll represented the facility during the inspection. As previously observed, a variety of hazardous wastes typically associated with electroplating, cleaning processes, maintenance activities, and wastewater treatment were generated and stored at the facility including cyanide plating solutions and wastes listed as F006-F009. During the inspection, it was determined that since the auction of facility assets had occurred contract workers had commenced the process of dismantling electroplating processes and the retrieval of miscellaneous pieces of equipment and electroplating chemicals that were sold during the auction from Department 777. According to the facility representative the Departments 30, 40, 50, and 90 plating baths had been sold and will be dismantled and removed. Additionally, according to the facility representative many of the tanks and equipment in the Wastewater Treatment Room had also been sold during the auction and will be removed although, there was still a large quantity of untreated wastewater in the tanks, the status of the wastewater was uncertain. A very limited amount of work had been done in the old Wastewater Treatment Room due to safety issues related to the partial collapse of the roof in the room. A large amount of the unused chemicals stored in the storage area of the main warehouse had also been sold or sent back to the respective vendors and had been or will be removed. The pieces of equipment and chemical contents of the lab had been sold but were still in-place. Additional progress had also been made in the cleaning out of many of the remaining electroplating baths containing residual electroplating chemicals in the various electroplating lines. Many of the pieces of equipment and chemicals once stored in the Chemical Storage Warehouse had been moved and/ or sold during the auction. Batch treatment and subsequent discharge of treated wastewaters in the Chemical Storage Warehouse had ceased. The following hazardous waste storage areas were observed during the inspection including but not limited to: the northwest side of the Main Warehouse approximately 23- 275 gallon totes and 30- 55 gallon containers of hazardous waste, the Cyanide Storage Building containing a large quantity of hazardous waste in two poly tanks and multiple totes and containers, the Chemical Warehouse with multiple 55 and 275 gallon containers. Outside of the buildings in scattered areas a large accumulation of various solid wastes were observed.

The inspection, again revealed a multitude of ongoing RCRA violations including but not limited to: hazardous waste container management violations such as inadequate aisle space (pursuant to 40 CFR 265.35), containers not labeled "Hazardous Waste" (pursuant to 40 CFR 262.34(a)(3)) and containers without start of accumulation dates (pursuant to 40 CFR 262.34(a)(2)), storage of hazardous waste in containers for greater than 90 days without possessing a RCRA container storage permit (pursuant to 40 CFR 262.34(a) and Indiana Code (I.C.) 13-30-2-1(10)), and noncompliance with the standards for owners and operators of hazardous waste treatment, storage, and disposal facilities (pursuant to 40 CFR 264 Subparts A, B, C, E, G, H, and I). The facility/site has been referred to the regional EPA office and is a candidate for an immediate response action which is pending an outcome. This information will also be referred to the Office of Enforcement for appropriate action.

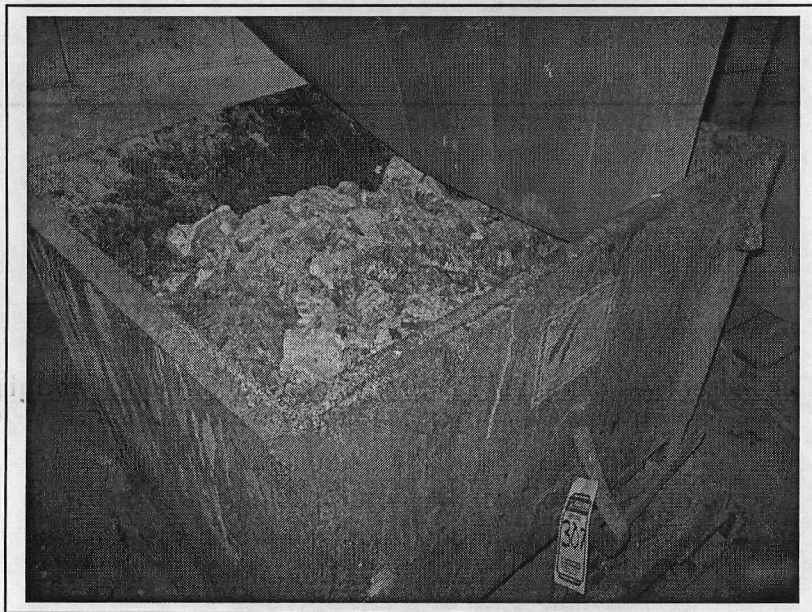
cc: Vanderburgh County Health Department
Charles Stinchfield, Emergency Response Section, IDEM, Office of Land Quality
Dan Stocks c/o MPMF Realty
John Lamb c/o Bank of Evansville
SWRO



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 in the Chemical Storage Warehouse of the remaining chemicals in the Chemical Storage Area.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 in the Chemical Storage Warehouse. at the Wastewater Treatment Filter Press F006 HW on floor.



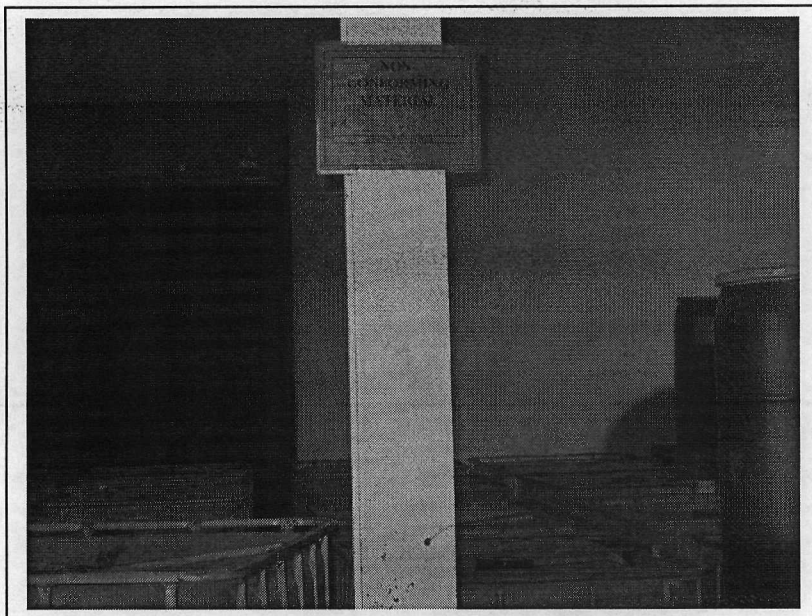
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of Wastewater Treatment Filter Press Sludge HW F006 in Chemical Storage Warehouse.



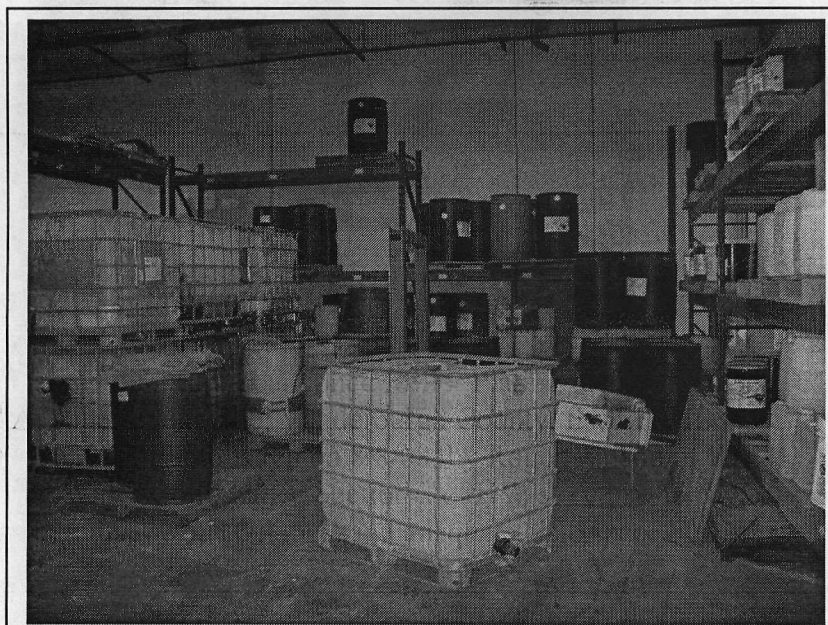
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of empty containers rubbish, debris, and miscellaneous solid waste outside bldg.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of HW stored in northwest side of main warehouse w/o HW labels and adequate aisle space.



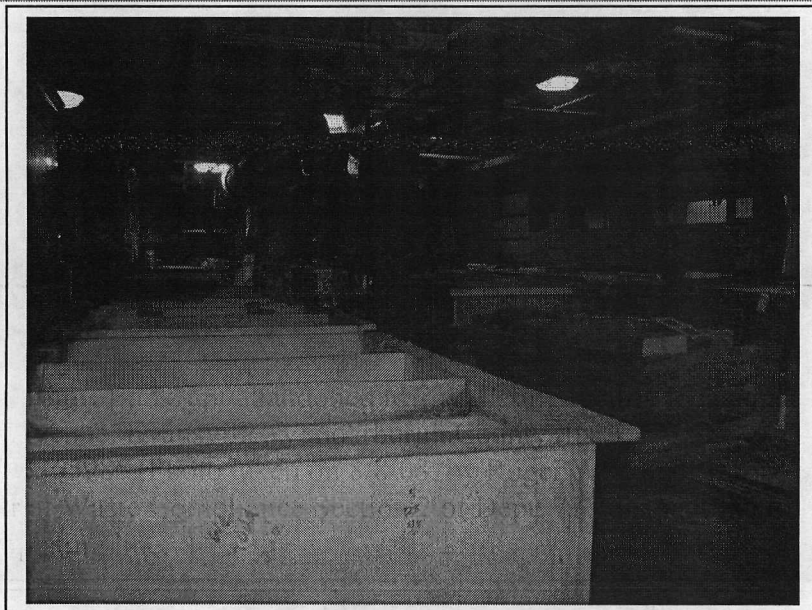
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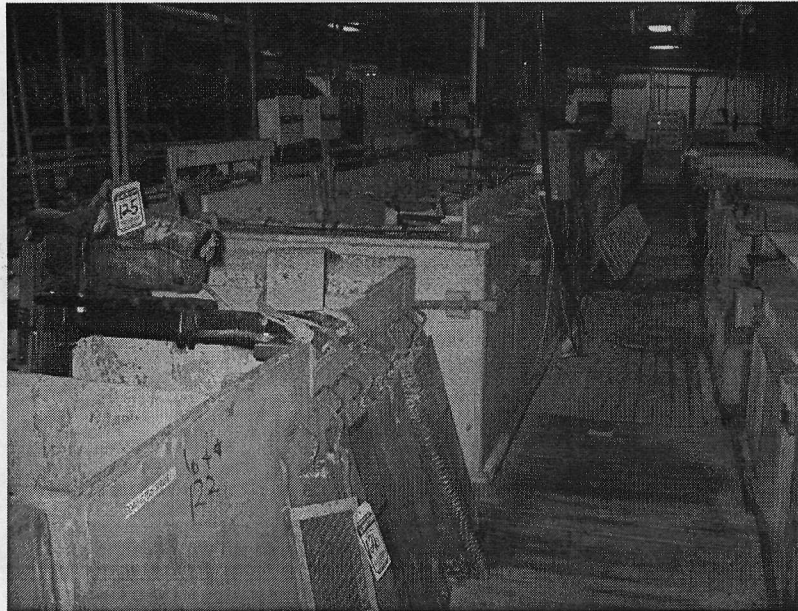
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of chemical products remaining in the main warehouse storage area.



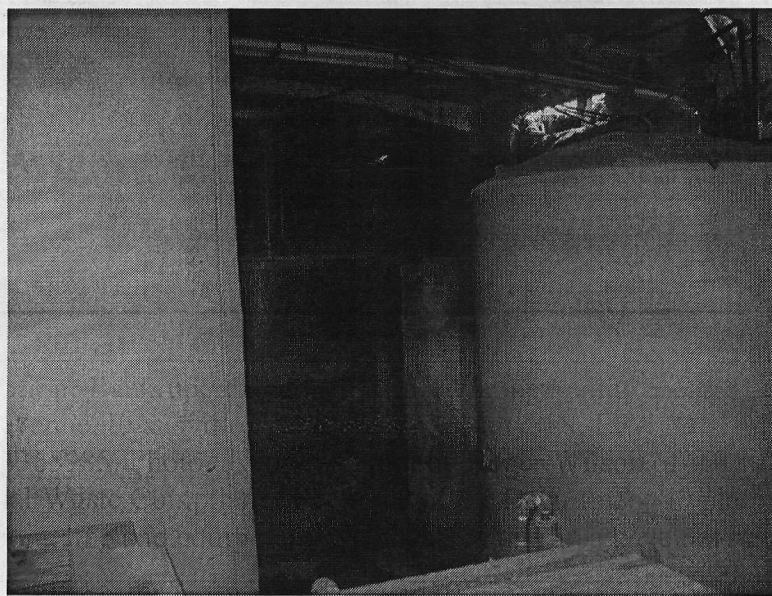
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of Dept. 777 dismantling of electroplating line.



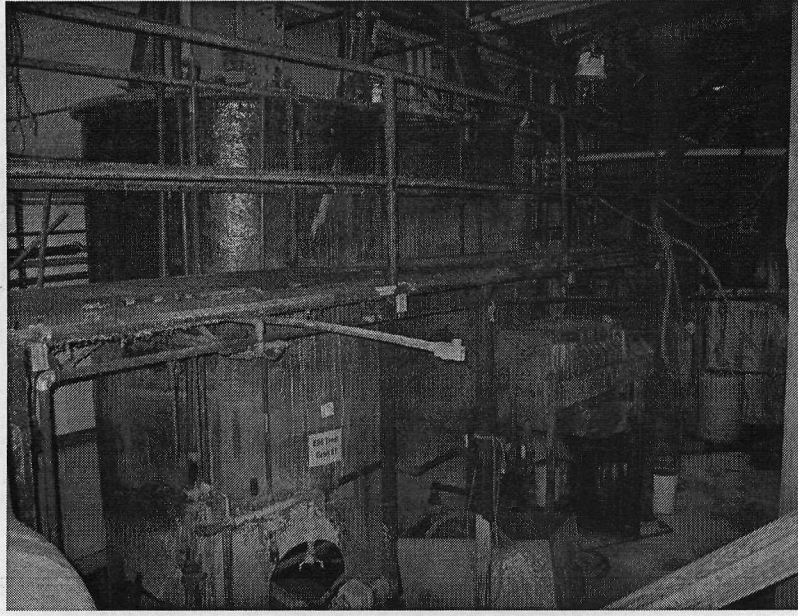
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of Department 30 intact plating baths.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of the Department 40 plating line. The plating line and equipment/ chemicals in this area have not been sold.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of the Wastewater Treatment Room and WWT tanks.



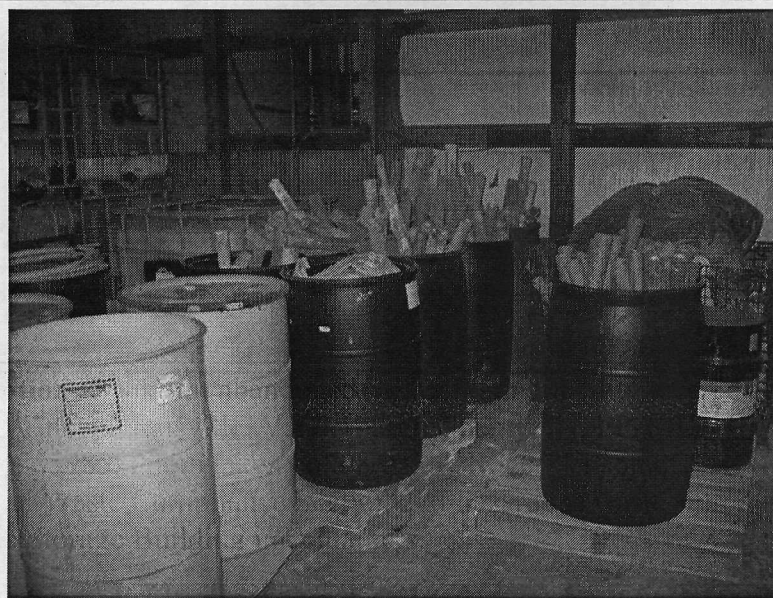
Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of the Wastewater Treatment Room and WWT tanks and miscellaneous equipment.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of hazardous waste stored in the Cyanide Storage Building in containers and tanks.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of hazardous waste stored in the Cyanide Storage Building in containers.



Description: Bankrupt/abandoned Miller Plating facility located at 3200 N. 6th Avenue, Evansville, Vanderburgh County, IN. EPA ID. IND006365985. Photo taken on 8/8/08, by Roger Wilson of IDEM's Industrial Waste Compliance Section 2 of open and unlabeled containers of hazardous waste in the Chemical Warehouse Storage Area.